

AMENDED IN SENATE MAY 30, 2013

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE MAY 7, 2013

AMENDED IN SENATE MARCH 21, 2013

## **SENATE BILL**

**No. 267**

---

---

**Introduced by Senator Pavley**

February 13, 2013

---

---

An act to add Chapter 6 (commencing with Section 26245) to Division 16.3 of the Public Resources Code, relating to energy efficiency, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

SB 267, as amended, Pavley. Proposition 39: implementation.

The California Clean Energy Jobs Act, an initiative approved by the voters at the November 6, 2012, statewide general election as Proposition 39, made changes to corporate income taxes and, except as specified, provides for the transfer of \$550,000,000 annually from the General Fund to the Clean Energy Job Creation Fund for 5 fiscal years beginning with the 2013–14 fiscal year. Moneys in the Clean Energy Job Creation Fund are available, upon appropriation by the Legislature, for purposes of funding eligible projects that create jobs in California improving energy efficiency and expanding clean energy generation. Existing law provides for the allocation of these funds for eligible projects at public school facilities, university and college facilities, and other public buildings and facilities, as well as job training and workforce development, and public-private partnerships, as specified.

This bill would require the State Energy Resources Conservation and Development Commission to develop and administer a financial assistance program to assist the California Community Colleges, the California State University, and the University of California with energy efficiency and clean energy onsite generation projects. The bill would require the commission to develop and adopt specific guidelines for the program. The bill would appropriate for the 2013–14 fiscal year an unspecified sum from the Clean Energy Job Creation Fund to the commission for the above purpose, thereby making an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 6 (commencing with Section 26245) is added to Division 16.3 of the Public Resources Code, to read:

CHAPTER 6. PROGRAMS FOR PUBLIC POSTSECONDARY  
EDUCATIONAL FACILITIES

26245. (a) The State Energy Resources Conservation and Development Commission shall develop and administer a financial assistance program to assist the California Community Colleges, the California State University, and the University of California with energy efficiency and clean energy onsite generation projects.

(b) In addition to the criteria specified in Section 26206, the State Energy Resources Conservation and Development Commission shall develop and adopt guidelines that do all of the following:

- (1) Establish audit standards and procedures.
- (2) Ensure that the projects receiving financial assistance are consistent with the state's loading order, as described in the Energy Plan II jointly adopted by the State Energy Resources Conservation and Development Commission and the Public Utilities Commission.
- (3) Ensure that the projects are reliable and feasible with total energy savings benefits exceeding project costs.
- (4) Establish energy savings measurement and verification standards.

1 (5) Require the recipient of financial assistance to report to the  
2 commission on energy savings achieved.

3 (6) If the project is for clean energy onsite generation, require  
4 that the energy cost savings over 75 percent of the expected life  
5 of the project will exceed the initial investment.

6 (7) Give priority to projects that have the highest energy savings  
7 relative to the amount of public moneys used to finance the project.

8 (8) Include funding for the California Community Colleges, the  
9 California State University, and the University of California in the  
10 following proportions:

11 (A) \_\_\_\_ percent for projects of the California Community  
12 Colleges.

13 (B) \_\_\_\_ percent for projects of the California State University.

14 (C) \_\_\_\_ percent for projects of the University of California.

15 (9) (A) Require the Chancellor of the California Community  
16 Colleges to be responsible for submitting to the commission  
17 applications for financial assistance and reports on project  
18 outcomes.

19 (B) Require the Trustees of the California State University to  
20 be responsible for submitting to the commission applications for  
21 financial assistance and reports on project outcomes.

22 (C) Require the University of California to be responsible for  
23 submitting to the commission applications for financial assistance  
24 and reports on project outcomes.

25 (c) The State Energy Resources Conservation and Development  
26 Commission may use its existing grant and financing programs to  
27 minimize administrative costs associated with the program,  
28 including the program developed pursuant to the Energy  
29 Conservation Assistance Act of 1979 (Chapter 5.2 (commencing  
30 with Section 25410) of Division 15).

31 (d) *For purposes of this section, “financial assistance” means*  
32 *revolving loans and grants.*

33 26246. The sum of \_\_\_\_ dollars (\$\_\_\_\_) is hereby appropriated  
34 for the 2013–14 fiscal year from the Clean Energy Job Creation  
35 Fund to the State Energy Resources Conservation and Development  
36 Commission for the purposes of this chapter.